

ASSEMBLY BILL

No. 787

Introduced by Assembly Member Roger Hernández

February 25, 2015

An act to amend Section 47604 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 787, as introduced, Roger Hernández. Charter schools: operation: nonprofit public benefit corporations.

The Charter Schools Act of 1992 specifies the procedures for the submission, review, and approval or denial of a petition to establish a charter school. Existing law provides that a charter school may elect to operate as, or be operated by, a nonprofit public benefit corporation, formed and organized pursuant to the Nonprofit Public Benefit Corporation Law.

This bill would make nonsubstantive changes to the provision authorizing a charter school to elect to operate as, or be operated by, a nonprofit public benefit corporation.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 47604 of the Education Code is amended
2 to read:
3 47604. (a) ~~Charter schools—~~A charter school may elect to
4 operate as, or be operated by, a nonprofit public benefit corporation,
5 formed and organized pursuant to the Nonprofit Public Benefit

1 Corporation Law (Part 2 (commencing with Section 5110) of
2 Division 2 of Title ~~1~~ 1 of the Corporations Code).

3 (b) The governing board of a school district that grants a charter
4 for the establishment of a charter school formed and organized
5 pursuant to this section shall be entitled to a single representative
6 on the board of directors of the nonprofit public benefit corporation.

7 (c) An authority that grants a charter to a charter school to be
8 operated by, or as, a nonprofit public benefit corporation is not
9 liable for the debts or obligations of the charter school, or for
10 claims arising from the performance of acts, errors, or omissions
11 by the charter school, if the authority has complied with all
12 oversight responsibilities required by law, including, but not limited
13 to, those required by Section 47604.32 and subdivision (m) of
14 Section 47605.